

**Ethics Ad Hoc Meeting  
Tuesday, March 24, 2009  
5:00 P.M.  
Third Floor, City Hall**

**Also Present:** CM Henderson

Chairman Tandy began the meeting by introducing the members and non-members of the committee that were present. A quorum was established.

- April 7th
  - Entertain any other amendments that are needed and discuss those amendments
  - Divide time up equally at 30 minutes each
  - Discussion back and forth between ordinances
- April 21
  - Discuss the ordinances and any amendments that have been proposed
- Amendments are to be closed before the April 21 meeting so everyone will have time to digest amendments.
- Want to make a full airing of thoughts and ideas
- Hopefully will come together as one ordinance to put before the Council
- Ordinances compared side by side

CM Butler gave a brief overview of the Butler Ackerson Ordinance stating these amendments will hopefully make this a good solid ordinance. The following possible amendments were discussed:

- Creating Using a List/Listserve
- Creating or transferring a List/Listserve
- Financial Disclosure form
- Members of the Ethic Commission shall not be an immediate family member of a Metro Officer
- Alleged violations need be brought up within 6 months of the occurrence
- Decision within 10 days at the conclusion of the hearing
- Complaints
- Procedural issues
- Possible Waiver of Confidentiality portion if respondent wishes within 5 business days
- County Attorney representation
- Appeals process

CM Fleming gave a brief overview of his ordinance stating this ordinance contains an accumulation of people's thoughts and opinions over the past year and is modeled after the US Office of Ethics. The Ethics Ordinance in place now needs significant improvement. The following possible amendments were discussed:

- Definitions
  - Broadened definition of Metro Officer
  - Agency
  - Confidential Information
  - Financial Benefit
  - Broadened definition of Immediate Family Member - Definition came from the Kentucky Statute
  - Contractors with contracts over \$10,000
  - Defined Non-profit organization as well as subordinate
- Standards of Conduct
  - Public endorsements
- Transactions with Subordinates
- Inappropriate political solicitation
- Entrapment
- Financial disclosure
- Conflicts of interest
- Misuse of property and reimbursement
- Nepotism
- Number of Council Members that need to affirm appointments from the Mayor to make a fair balance
- Ethic Commission Members
- Operation of the Commission
- Immediate comment from the Commission - 24 hour response
- Annual report
  - More oversight with Metro Council
  - Opinion within 60 days
- Ethics commission should review this ordinance every four years.
- Complaints

Hard copies of the amendments are to be given to the Committee Members, County Attorney's Office to get their perspective, and Clerk's Office by Close of Business on Friday March 27, 2009.

Ken Fleming will get a copy of the side by side ordinances to everyone.

The following was also discussed:

- Have the recommendations from the Internal and State Auditors been taken into consideration
- Ordinance should include Metro Employees

## AGENDA

[O-36-03-09 AN ORDINANCE AMENDING CHAPTER 21 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] RELATING TO ETHICS. \(BUTLER - ACKERSON\)](#)

**Status:** In-Committee

**Committee:** Ethics AD Hoc

**Primary Sponsor:**

Marianne Butler

Jon Ackerson

This ordinance was **Held in Committee**.

[O-43-03-09 AN ORDINANCE AMENDING CHAPTER 21 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \[LMCO\] RELATING TO ETHICS . \(FLEMING\)](#)

**Status:** In-Committee

**Committee:** Ethics AD Hoc

**Primary Sponsor:** Kenneth C. Fleming

This ordinance was **Held in Committee**.

Without objection the meeting Adjourned at 6:07 P.M.

**\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on March 26, 2009.**

**KQG**